

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 351 OF 2015.

Anil Ishwar Wankar ..vs.. The Divisional Commissioner, Nagpur Division, Nagpur & anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mrs.Sulbha Saikhede, Adv. (appointed) for the petitioner.
Mr.T.A.Mirza, APP for the respondents.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : JUNE 23, 2015.

Heard Ms.Saikhede, learned counsel (appointed) for the petitioner and learned Additional Public Prosecutor for the respondents.

Perused reply-affidavit.

Petitioner has sought parole of 30 days on the ground of illness of his son. The same has been rejected on 7th of February, 2015 after observing that his wife and two brothers can look after said son. It is also mentioned that the security provided was not able to control him and there was every possibility of threat to life of family members of the complainant.

The capacity of surety to control the petitioner or threats to life of family members of the complainant are not supported by the material on record. However, order also mentions availability of the other family members.

Petitioner has not produced medical certificate on record or records with APP show that in the year 2014 on account of some health problem, son was advised bed rest for three weeks. The subsequent improvement in the health of son and other developments are not placed on record. Adv. Saikhede submits that as she is appointed by the Legal Aid Committee, she has no instructions about the such

development.

In this situation, we do not find anything wrong with the impugned order. However, we grant petitioner leave to make a fresh application for parole with necessary documents.

With this liberty, we dispose of the petition.

Counsel charges fixed at Rs.1500/-.

JUDGE

JUDGE

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